IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

Bail Appl..No. 7526 of 2006()

CRIME NO. 172/06 OF EDAKKAD POLICE STATION

PETITIONER/ACCUSED

VIRAKANTER VEETTIL RADHAKRISHNAN,
S/O.KORAN, AGED 41, ANNUR AMSOM,
KANIYAKULAM.

BY ADV. SRI.H.BADARUDDIN
SRI.C.A.JOSEPH

RESPONDENTS: COMPLAINANT AND STATE
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1. SUB INSPECTOR OF POLICE,
EDAKKAD POLICE STATION, KANNUR DISTRICT.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY DIRECTOR GENERAL OF PROSECUTIONS SRI. P.G. THAMBI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail application No. 7526 of 2006.

Dated: 20-12-2006

ORDER

Petitioner who is the accused in Crime No. 172/06 of Edakkad Police Station for offences punishable under Sections 457 and 380 I.P.C., seeks his enlargement on bail. Be was arrested on 14-10-2006.

2. The learned Director General of Prosecutions opposed the application submitting inter alia that the petitioner is a habitual offender and is an accused in two other crimes involving in similar offences.

3. The facts of the case is that during the night of 10-10-2006 the petitioner committed theft of the crown of the idol of Sreekrishna of Thrikkapalam Temple of Mavilayi after gaining his entry into the sanctum sanctorum by removing the roofing tiles. The petitioner was arrested on 14-10-2006 and ever since he is in custody.

4. Since there is no case that the continued detention of the petitioner is needed for the further progress of the investigation, the apprehension expressed by the Director General of Prosecutions can be taken care of by imposing appropriate conditions safeguarding the interests of the prosecution. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 25,000/- (Rupees

twenty five thousand only) with two solvent sureties (one of whom shall produce solvency certificate) each for the like amount to the satisfaction of the Addl. Chief Judicial Magistrate, Thalassery and subject to he following conditions:-

1. The petitioner shall report before the investigating officer between 98 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V. RAMKUMAR, JUDGE.

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